

107TH CONGRESS
1ST SESSION

H. R. 920

To establish the Federal Elections Review Commission to study the nature and consequences of the Federal electoral process and make recommendations to ensure the integrity of, and public confidence in, Federal elections.

IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2001

Mr. LAMPSON (for himself, Mr. FARR of California, Mr. RODRIGUEZ, Mr. DUNCAN, Mr. TURNER, Mr. GONZALEZ, Mr. FROST, and Mrs. MORELLA) introduced the following bill; which was referred to the Committee on House Administration

A BILL

To establish the Federal Elections Review Commission to study the nature and consequences of the Federal electoral process and make recommendations to ensure the integrity of, and public confidence in, Federal elections.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “21st Century Election
5 Rules and Technology Act”.

1 **SEC. 2. ESTABLISHMENT OF COMMISSION; MEMBERSHIP.**

2 (a) ESTABLISHMENT.—There is established the Fed-
3 eral Elections Review Commission (hereafter in this Act
4 referred to as the “Commission”).

5 (b) PURPOSE.—The purpose of the Commission shall
6 be to study the nature and consequences of the Federal
7 electoral process and make recommendations to ensure the
8 integrity of, and public confidence in, Federal elections.

9 (c) MEMBERSHIP.—The Commission shall be com-
10 posed of 12 members, who shall be appointed as follows:

11 (1) Three members shall be appointed by the
12 President pro tempore of the Senate based on rec-
13 ommendations by the majority leader of the Senate.

14 (2) Three members shall be appointed by the
15 President pro tempore of the Senate based on rec-
16 ommendations of the minority leader of the Senate.

17 (3) Three members shall be appointed by the
18 Speaker of the House of Representatives.

19 (4) Three members shall be appointed by the
20 minority leader of the House of Representatives.

21 (d) QUALIFICATIONS OF MEMBERS.—Members shall
22 be appointed to the Commission from among individuals
23 who—

24 (1) have expertise in Federal election laws, elec-
25 tion and information technology, the United States

1 Constitution, and the history of the United States,
2 or other pertinent qualifications or experience; and
3 (2) are not officers or employees of the United
4 States.

5 (e) OTHER CONSIDERATIONS.—In appointing mem-
6 bers of the Commission, every effort shall be made to en-
7 sure that the members—

8 (1) represent a broad cross section of regional
9 and political perspectives in the United States; and
10 (2) are individuals who will provide fresh in-
11 sights to analyzing the Federal electoral process in
12 order to maintain the integrity and accuracy of, and
13 public confidence in, such process.

14 (f) PERIOD OF APPOINTMENT; VACANCIES.—(1)
15 Members of the Commission shall be appointed not later
16 than 60 days after the date of enactment of this Act. Ap-
17 pointments shall be for the life of the Commission.

18 (2) Any vacancy in the Commission shall not affect
19 the powers of the Commission, and shall be filled in the
20 same manner as the original appointment.

21 (g) INITIAL MEETING.—Not later than 30 days after
22 the date on which all members of the Commission have
23 been appointed, the Commission shall hold its first meet-
24 ing.

1 (h) CHAIRPERSON AND VICE CHAIRPERSON.—The
2 members of the Commission shall elect a chairperson and
3 vice chairperson from among the members of the Commis-
4 sion.

5 (i) ADDITIONAL MEETINGS.—The Commission shall
6 meet at the call of the chairperson.

7 (j) QUORUM.—A majority of the members of the
8 Commission shall constitute a quorum for the transaction
9 of business.

10 (k) VOTING.—A vote of a member of the Commission
11 with respect to the duties of the Commission shall have
12 the same weight as the vote of any other member of the
13 Commission.

14 **SEC. 3. DUTIES OF THE COMMISSION.**

15 (a) IN GENERAL.—The Commission shall examine
16 and report on the nature and consequences of the Federal
17 electoral process, and shall include in its report rec-
18 ommendations to ensure the integrity of, and public con-
19 fidence in, Federal elections.

20 (b) SPECIFIC ISSUES TO BE ADDRESSED.—In con-
21 ducting its examination and preparing its report under
22 this Act, the Commission shall address (at a minimum)
23 the following issues:

24 (1) The current election technology used by
25 States and local governments across the Nation, the

1 current best practices of election technology, and the
2 need for research and development regarding new
3 election technologies.

4 (2) The need for new practices and technologies
5 to aid voters with disabilities.

6 (3) Voter registration issues, including same-
7 day registration, universal registration, the impact of
8 the voter registration requirements of the National
9 Voter Registration Act of 1993 (commonly known as
10 the “Motor Voter Act”), and the accuracy of voter
11 registration rolls.

12 (4) Ballot access issues, including the role of
13 mail-in balloting in Federal elections, the distinction
14 between mail-in and absentee balloting, the uni-
15 formity or lack of uniformity in the deadlines estab-
16 lished for the receipt of such ballots, and the possi-
17 bility of fraud associated with the use of such bal-
18 lots.

19 (5) The financial, training, and resource needs
20 of State and local election agencies.

21 (6) The feasibility and advisability of voting
22 through the Internet.

23 (7) The impact of polling place closing times
24 (including an analysis of the feasibility and advis-
25 ability of establishing a uniform national poll closing

1 time for Presidential elections), the number and ac-
2 cessibility of polling places, and training of poll
3 workers.

4 (8) The impact of the physical ballot design, in-
5 cluding the technology used to cast and count votes
6 and the uniformity of such technology and a consid-
7 eration of a uniform design standard, and the im-
8 pact of the language used on ballots, including the
9 need for simplicity of language and the feasibility
10 and advisability of using foreign language.

11 (9) The adequacy of the options available to
12 voters and candidates to seek redress for electoral
13 irregularities.

14 **SEC. 4. FINAL REPORT.**

15 (a) IN GENERAL.—Not later than 12 months after
16 the date of the initial meeting of the Commission, the
17 Commission shall submit to the President, the Federal
18 Election Commission, and the Congress a final report
19 including—

20 (1) the findings and conclusions of the Commis-
21 sion; and

22 (2) recommendations of the Commission for ad-
23 dressing the problems identified by its analysis.

1 (b) SEPARATE VIEWS.—Any member of the Commis-
2 sion may submit additional findings and recommendations
3 as part of the final report.

4 **SEC. 5. POWERS.**

5 (a) HEARINGS.—The Commission may hold such
6 hearings, sit and act at such times and places, take such
7 testimony, and receive such evidence as the Commission
8 may find advisable to fulfill the requirements of this Act.
9 The Commission shall hold at least one hearing in the Dis-
10 trict of Columbia, and at least four hearings in other re-
11 gions of the United States.

12 (b) INFORMATION FROM FEDERAL AGENCIES.—The
13 Commission may secure directly from any Federal depart-
14 ment or agency such information as the Commission con-
15 siders necessary to carry out the provisions of this Act.
16 Upon request of the chairperson of the Commission, the
17 head of such department or agency shall furnish such in-
18 formation to the Commission.

19 (c) POSTAL SERVICES.—The Commission may use
20 the United States mails in the same manner and under
21 the same conditions as other departments and agencies of
22 the Federal Government.

23 **SEC. 6. COMMISSION PERSONNEL MATTERS.**

24 (a) COMPENSATION.—Each member of the Commis-
25 sion shall be compensated at a rate equal to the daily

1 equivalent of the annual rate of basic pay prescribed for
2 level IV of the Executive Schedule under section 5315 of
3 title 5, United States Code, for each day (including travel
4 time) during which the member is engaged in the perform-
5 ance of the duties of the Commission.

6 (b) STAFF.—(1) The chairperson of the Commission
7 may appoint staff of the Commission, request the detail
8 of Federal employees, and accept temporary and intermit-
9 tent services in accordance with section 3161 of title 5,
10 United States Code.

11 (2) The employment of an executive director of the
12 Commission shall be subject to the approval of the Com-
13 mission.

14 (3) The rate of pay for the executive director and
15 other personnel of the Commission may not exceed the
16 rate payable for level V of the Executive Schedule under
17 section 5316 of such title.

18 **SEC. 7. SUPPORT SERVICES.**

19 The Administrator of General Services shall provide
20 to the Commission on a reimbursable basis such adminis-
21 trative support services as the Commission may request.

22 **SEC. 8. TERMINATION.**

23 The Commission shall terminate not later than the
24 date that is 30 days after the date the Commission sub-
25 mits its final report under section 4.

1 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated \$2,000,000
3 for the Commission to carry out this Act.

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